

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON DIVISION**

IN RE: ETHICON, INC.
PELVIC REPAIR SYSTEMS
PRODUCTS LIABILITY LITIGATION

MDL NO. 2327

THIS DOCUMENT RELATES TO THE CIVIL ACTION NOS. LISTED ON THE ATTACHED EXHIBIT:

**JOINT MOTION TO DISMISS DEFENDANT
AMERICAN MEDICAL SYSTEMS, INC. WITHOUT PREJUDICE**

Plaintiffs in the cases listed on the attached Exhibit A and defendant American Medical Systems, Inc. ("AMS") advise the Court that they have compromised and settled all claims between them in these actions, including all counterclaims, cross-claims and third party claims. Accordingly, Plaintiffs and AMS jointly move the court to dismiss AMS as a defendant in these actions without prejudice, and terminate AMS from the docket in the actions. Other defendants remain in these actions, and plaintiffs will continue to prosecute these actions against them.

Respectfully:

/s/ Barbara R. Binis

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Dated: February 9, 2015

EXHIBIT A--LEVIN SIMES

CIVIL ACTION NUMBER (listed numerically in ascending order)	CASE NAME
2:13-CV-12350	Carlyne Brinks, Gordon Brinks v. Ethicon, Inc., Johnson & Johnson, and American Medical Systems, Inc.
2:13-CV-24175	Sondra Gapen, Timothy Gapen v. American Medical Systems, Inc.

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THIS DOCUMENT RELATES TO CASES
ON THE EXHIBIT ATTACHED HERETO

ORDER

(Dismissing Defendant American Medical Systems, Inc. from Certain Cases Without Prejudice)

Pending in MDL 2327, 2:12-md-2327 [Docket], is a Joint Motion to Dismiss filed by plaintiffs identified in the attached Exhibit A and American Medical Systems, Inc. (“AMS”) seeking dismissal of AMS from these actions without prejudice because all claims between them have been compromised and settled, including all claims, counterclaims, cross-claims and third party claims. After careful consideration, it is **ORDERED** that the Joint Motion to Dismiss AMS Without Prejudice is **GRANTED**.

The court **DIRECTS** the Clerk to file a copy of this order in 2:12-md-2327 and in the individual cases listed in the attached Exhibit A.

ENTER:

CERTIFICATE OF SERVICE

I hereby certify that on February 9, 2015, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the CM/ECF participants registered to receive service in these member cases.

/s/ Barbara R. Binis